

1 Vanessa R. Waldref
United States Attorney
2 George J.C. Jacobs, III
Assistant United States Attorneys
3 Eastern District of Washington
Post Office Box 1494
4 Spokane, WA 99210-1494
Telephone: (509) 353-2767
5

6 John C. Ellis, Jr.
Coordinating Discovery Attorney
7 2495 Truxtun Road, Suite 206
San Diego, CA 92106
8 Telephone: (619)501-5522

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF WASHINGTON
11

12 UNITED STATES OF AMERICA,

13
14 Plaintiff,

15 v.

16 ALI ABED YASER, et al,

17 Defendants.
18
19

No. 4:21-CR-06042-MKD

Joint Report on the Status of
Discovery & Electronically
Stored Information

20 Plaintiff, United States of America, by and through Vanessa R. Waldref,
21 United States Attorney for the Eastern District of Washington, and George J.C.
22 Jacobs, III, Assistant United States Attorney for the Eastern District of Washington,
23 along with John C. Ellis, Jr., Defense Discovery Coordinator, hereby submit this
24 joint report on the status of discovery, and in particular, the production of
25 electronically stored information (“ESI”), in advance of the Status Conference
26 October 20, 2022.

27 ///
28

Background

The parties file the following joint status report to update the Court on Electronically Stored Information (“ESI”) discovery. Since his appointment, Defense Discovery Coordinator and the prosecution team have met on several occasions to discuss the orderly transfer of discovery. Most recently, on October 14, 2022, Assistant United States Attorney George Jacobs, his paralegal, and representatives from several law enforcement agencies met with Mr. Ellis and members of his office to discuss all ESI discovery. To date, the government has provided ESI productions on six occasions, amounting to 4.17 terabytes. At this time, the vast majority of ESI has been turned over by the government.

Remaining ESI

The following chart identifies the outstanding ESI, and indicates the status of the remaining productions:

Device Description	1B	Status
iPhone S Silver / Model: A1633 / FCC ID: BCGE2946A	1B2	Imaging not processed - TBD
HTC white cell phone / Model: OPM9200 / FCC ID: NM80PM9200	1B5	Imaged by HHS - TBD
Apple iPad, S/N: DLXYTIC9KC5P	1B27	Imaging not processed - TBD
HP Chromebook, S/N: 5CD7511456 / Model 14-AK041DX	1B39	Unable to image
iPad, model: A1709. S/N: DLXV3395HPDV	1B43	Imaged by HHS - TBD
White and Grey Thumb Drive - Supprelin LA	1B76	Unable to image
HP Laptop w/ Power Cord / 15-af131dx	1B79	Imaged by HHS - TBD
HP SPECTRE Laptop, Model: 15-df1033dx	1B84	Imaged by HHS - TBD
iPhone	1B104	Imaged by HHS - TBD
iPad / Model: A2014 / SN: DLXZ5243KC51	1B112	Imaged by HHS - TBD
Black smartphone	1B169	Imaging not processed - TBD
iPad DMPW5L4VJF8J	1B90	Unable to image

Device Description	1B	Status
One (1) iPhone, black in color, model: A1661	1B137	Imaging not processed – TBD
One (1) iPhone, gold in color	1B148	Imaging in progress – TBD
Agent LG Phone	N/A	Government is working on locating - TBD
Agent Google Pixel	N/A	Government is working on locating - TBD
Linguist Google Pixel	N/A	Government is working on locating - TBD

As documented above, there remain several outstanding ESI items the government is still working to provide to the CDA. The government anticipates that the materials in possession of HHS will be produced to Mr. Ellis in the near future. For items designated as “unable to image or not processed,” it is not anticipated that these materials will be produced in the near future. The parties will continue to work together to ensure that the remaining items are resolved as expeditiously as possible. Should any issues arise, the parties will notify the Court.

Dated this 19th day of October, 2022.

Respectfully submitted,

Vanessa R. Waldref
United States Attorney

s/ George J.C. Jacobs, III
George J.C. Jacobs, III
Assistant United States Attorneys
920 W Riverside Suite 300
Spokane, WA 99210-1494
Telephone: 509-353-2767
Email: george.j.c.jacobs@usdoj.gov
Counsel for the United States

s/ John C. Ellis, Jr.
John C. Ellis, Jr.
The Law Offices of John C. Ellis, Jr.
2495 Truxtun Road, Suite 206
San Diego, CA 92106
Telephone: (619)501-5522
Email: john@johnellislaw.com
Coordinating Discovery Attorney

1
2
3 **CERTIFICATE OF SERVICE**

4 I hereby certify that on October 19, 2022, I caused the foregoing to be filed
5 with the Clerk of the Court using the CM/ECF System and service of such filing will
6 be sent by reliable electronic means to the registered CM/ECF Participant(s).

7
8 s/ George J.C. Jacobs, III
9 George J.C. Jacobs, III
10 Assistant United States Attorney
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28